

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Claims 1-12 have been canceled, without prejudice, and new claims 13-34 have been added to more clearly recite the distinguishing features of the present invention in better U.S. form. In particular, it is respectfully pointed out that new claims 32-34 have been prepared to recite statutory subject matter under 35 USC 101.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

CLAIM FEE

The application was originally filed with 12 claims of which 4 were independent, and the appropriate claim fee was paid for such claims. The application now contains 22 claims, of which 9 are independent. Accordingly, a claim fee in the amount of \$1150.00 for the addition of 5 extra independent claims and 2 extra claims in total is attached hereto. In addition, authorization is hereby given to charge any additional fees which may be determined to be required to Account No. 06-1378.

THE PRIOR ART REJECTION

Claims 1, 2, 4-8 and 10-11 were rejected under 35 USC 102 as being anticipated by US 2004/0201741 ("Ban"), and claims 3, 9 and 12 were rejected under 35 USC 103 as being obvious in view of the combination of Ban and USP 6,987,535 ("Matsugu et al"). These rejections, however, are respectfully traversed with respect to new claims 13-34 set forth hereinabove.

According to the present invention as recited in new independent claims 13, 29 and 32, a camera apparatus, display method and computer program are provided in which one of a plurality of stored sample images is selected in a selecting operation, a photographing condition is set corresponding to the selected sample image, and then the selected sample image is displayed together with an optical image of the subject which is picked up based on the set photographing condition. (See, for example, Fig. 6, Step S7.)

Similarly, according to the present invention as recited in new independent claims 25, 30 and 33, a camera apparatus, display method and computer program are provided in which one of plural stored additional information data is selected in a selecting operation, a photographing condition is set corresponding to the selected additional information data, and then at least one of the selected additional information data and a sample image corresponding to the set photographing condition is displayed

together with an optical image of the subject which is picked up based on the set photographing condition.

Significantly, according to the present invention as recited in each of new independent claims 13, 25, 29, 30, 32 and 33, the sample image or additional information data is displayed together with an optical image of the subject which is picked up based on the set photographing condition. That is, according to the claimed present invention, the sample image or additional information data corresponding to the currently set photographing condition is displayed together with an optical image of the subject which is picked up based on the set photographing condition (i.e., together with a through image of the subject which is picked up based on the set photographing condition). As a result, the user is enabled to confirm the pre-set photographing condition by reviewing the through image which is picked up based on the set photographing condition, and selection of an incorrect photographing condition (such as when the user is in a hurry) can be avoided.

As recognized by the Examiner, Ban discloses a technique that displays a sample image to select and set a photographing condition. It is respectfully submitted, however, that Ban does not disclose, teach or suggest displaying a sample image or additional information data corresponding to a currently set photographing condition together with an optical image (through

image) of the subject which is picked up based on the set photographing condition, as according to the present invention as recited in new independent claims 13, 25, 29, 30, 32 and 33.

With respect to new independent claims 26, 31 and 34, moreover, it is respectfully pointed out that according to the present invention as recited in these claims, a plurality of sample images are simultaneously displayed together with an optical image (through image) of the subject.

As recognized by the Examiner on page 7 of the Office Action, Ban fails to teach simultaneously displaying a plurality of sample images together with an optical image (through image) of a subject. For this reason, the Examiner has cited Matsugu et al for the missing teachings of Ban.

It is respectfully submitted, however, that Ban relates to an imaging system whereas Matsugu et al relates to an image processing apparatus for combining images, and that these are two entirely different technical fields. In addition, it is respectfully pointed out that Matsugu et al merely discloses a technique for simultaneously displaying multiple extracted images together with an optical image, and that these multiple extracted images are not used for setting a photographing condition in a photographing apparatus.

Accordingly, it is respectfully submitted that even if the teachings of Ban and Matsugu et al were combinable in the manner

suggested by the Examiner, the structure of the present invention as recited in new independent claims 26, 31 and 34 would still not be achieved or rendered obvious.

In view of the foregoing, it is respectfully submitted that the present invention as recited in each of new independent claims 13, 25, 26 and 29-34, as well as each of new claims 14-24 and 27-28 respectively depending from new claims 13 and 26, all patentably distinguish over the cited references, taken singly or in combination, under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

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